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# PROHIBITION

BY L. AMES BROWN

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**FOREWORD.**—*Of all the problems bearing directly upon the social welfare of the people of the United States none surely is more vital and none probably is so inadequately comprehended as that which is involved in the abolition or regulation of traffic in intoxicating beverages. It is not, as many suppose, a mere question of prevention of drunkenness and elimination of attendant evils. Its phases are multifarious, comprising not only the practicability of remedies proposed by Prohibitionists, Anti-Saloon Leagues and Model-License Associations, but also National and State revenues, relationship to political parties and Constitutional inhibitions, discrimination between distilled liquors and comparatively harmless light wines and beers as affecting the public health, and many others which must be considered in the light of experience and common sense if a solution of the whole problem is to be found and applied successfully. In an endeavor to promote helpful discussion which may lead to rational determination THE REVIEW will publish, during the forthcoming year, articles from those authorized or best qualified to set forth the merits of the various proposals which have been advanced. As a preliminary to the presentation of these special contributions, we print herewith the first of a series embodying the conclusions respecting actual conditions and results of experimentation deduced from painstaking study and inquiry by Mr. L. Ames Brown, whose compressed summary of his inferences recently published by the "Atlantic Monthly" attracted widespread attention. He deals first, in natural order, with Prohibition.*—THE EDITOR.

THE altered circumstances in which the people of the United States are forced to go about their public and private business since the breaking out of the war in Europe has left a very discernible stamp upon the country's "composite thought." The war has upset many of the new ideas that were gaining prestige in this Republic under the advocacy of Mr. Bryan and men of his imaginative turn of mind, and, to resort to a meaningful phrase of our own making, it has

steadied us down. Consider some of the changes it has wrought. It has done away with talk of permanent peace in this century and convinced most of us of the criminal un-wisdom of failure to be prepared for war; it has caused us to be more careful as to how we spend our money; it has sharpened the suspicions of some of us as to the faulty foundation of certain proposed reforms, and has caused others who were inclined to a more partisan attitude to decide to take a second look; it has developed a tendency toward contentment with laws of established consistency with the fundamentals of our Government in preference to those of the new fangled stripe which require a very considerable measure of blind faith in the swallowing. In general, the war may be said to have created in the American people a wholesome disposition to examine more carefully and critically into the merits of all proposals of domestic policy.

Bare facts, it may be prophesied, therefore, will have a better chance for coping successfully with sentimental propagandas in the next elections than has been given in what Mr. Taft recently remarked upon as "the late era of radicalism." So soon after being compelled to resign several rosy imaginings as to the possibilities of the immediate future, the voters may be looked to to display more stubbornness in demanding actual evidence as to the suitability and usefulness of the shiny new lamps offered in exchange for the old and tested ones. Such a state of mind certainly will produce a need for plenteous and convincing statistics from the advocates of national prohibition, if they are to expect advancement for their propaganda in the next few years. Appeals for the inspiration of a new virility in the Nation through the Constitutional inhibition of the manufacture, importation and sale of alcoholic drinks will be met with the questions, put with inexorable seriousness: What has prohibition actually accomplished in the States where it has been tried out? To what extent has it abated drinking, and the crimes and diseases growing out of it, and poverty? Has it really "made good"? On the answers to these questions will depend more and more vitally the extent of the progress to be made by the prohibition movement.

The questions are fair ones. Sooner or later, every new idea which has been established in the institutions of the civilized world has had to accept trial in the light of its History as well as of its Hope, and its ultimate place has been

determined by this judgment. It cannot be imagined that the prohibitionists will object to a test upon this basis, for their arguments traditionally are based upon the thought that the end justifies the means, that the evils of drinking justify any governmental step designed to prevent them; and surely it is sound logic to apply to their propaganda the test whether the ends which have been attained justify the means which have been adopted and now are advocated anew. It would seem, therefore, that a study of the history of prohibition in the United States, with the sole conscious aim of producing informative results, should be welcomed by both parties to the prohibition controversy, and especially by the great mass of voters who have not yet permitted themselves to be enrolled as partisans.

The prohibition movement was an outgrowth of the temperance crusades of the first half of the nineteenth century. Hard drinking was almost the rule among the Fathers of the Republic. The per capita consumption of spirits in the early days was many times what it is now, and beer drinking was almost unknown. After the War of 1812, there grew up in the New England States a large commerce in West Indian rum, which was consumed extensively, especially in Maine, supplementing the consumption of heavy liquors which were manufactured in those States. Maine alone, in 1827, when her population was 360,000, manufactured 1,333,160 gallons of liquor, and it was sold at retail in nearly every store and tavern. Drunkenness in its worst form, involving disastrous social consequences, was widespread. Sufficient evidence of it was to be found in the number of persons in the jails and poorhouses.

The movement to reform these conditions received an early impetus from the publication, in 1815, of Dr. Benjamin Rush's book, *An Inquiry into the Effects of Ardent Spirits upon the Human Body and Mind*. Dr. Rush had been chairman of the Committee on Independence in the Continental Congress of 1776. He was a physician of note, and his book was an authoritative disclosure of the harmful physiological effects of distilled spirits. A later commentator said of it: "Although confined in its denunciation to distilled spirits, it is not surpassed in earnestness and power by anything that has been written since." Before this book was published, Hon. Samuel Dexter, a former Secretary of War and

of the Treasury, as President of the Massachusetts Society for the Suppression of Intemperance, had issued in 1814 a pamphlet declaring that the rural population was consuming four times as much spirits as it had consumed twenty years before. Rev. Lyman Beecher already had attracted attention by his vigorous temperance sermons, some of which were published as temperance tracts.

Taking Dr. Rush's book and early subsequent publications as the basis of their propaganda, many learned and vigorous citizens of the original States began the dissemination of arguments first against the use of heavy liquors and later against the use of alcoholic drinks of any kind. Rev. Justin Edwards, D. D., was an outstanding worker in the movement for temperance reform, and he was the leading spirit in the organization of the American Temperance Society in 1815. Benjamin Franklin, we are told, General Putnam, Dr. Belknap, and others supported Dr. Rush in his temperance work. In 1826 the American Society for the Promotion of Temperance was organized to advocate total abstinence, and the *National Philanthropist* was launched in Boston to spread this propaganda. By 1835, a commentator tells us, "More than 8,000 temperance societies had been formed; more than 4,000 distilleries had been stopped; more than 200,000 persons had ceased to use any kind of intoxicating liquor; about 2,000,000 had ceased to use distilled liquors, 1,500,000 of whom were enrolled members of the temperance societies." About this time the Washington Society of pledge takers was formed. It had great success in prevailing upon drinkers to take the pledge, but it was severely criticized by the advocates of prohibition when they appeared, because, to quote ex-Senator Blair of New Hampshire, "unfortunately many of its most zealous and active promoters discouraged all resort to the enactment or enforcement of laws against the traffic." Some of the men who are singled out for distinction by the historians of the early temperance movement are President Day of Yale College, Rev. Samuel Worcester, Vice-President Henry Wilson, John B. Goff and Charles Jewett, M. D. The temperance movement in this period was in large measure religious, and clergymen, not politicians, were pre-eminent among its workers.

This was the era of so-called moral suasion. An early writer tells us that "churches and denominational associa-

tions, medical bodies, military organizations, public meetings, almost every form of effort united to endorse these and similar expressions of sentiment [referring to the expressions of temperance societies] in all parts of the country; a mighty movement based on moral suasion filled the land for the removal of the evils of intoxication from society." Ex-Senator Blair, in his history of the temperance movement, explains the transition from the temperance movement to that for State prohibition as one from moral suasion to legal suasion. "The public sentiment which resulted from this discussion," says he, "naturally sought to apply the doctrine of total abstinence through the form of law. The people began to move for the repeal of license laws and for legislation having for its object the outlawry of the liquor traffic." In 1837, the General Conference of the Free Baptist Church adopted a resolution in reference to the liquor traffic, pronouncing the judgment that "our lawgivers should by the enactment of just laws protect the community from this baneful and merciless traffic." Massachusetts made an essay in regulatory legislation in 1838, when the so-called "fifteen-gallon law" was passed.

Neal Dow, born in 1804, in Portland, Maine, the son of a Quaker tanner, crystallized the "legal suasion" movement, and by his co-workers is accredited with conceiving the idea of State prohibition. Dow began his career as an agitator of the liquor issue in politics in Portland, about 1830, when he insisted that the city authorities had the right to refuse to license liquor dealers, and that they ought to do so. His campaign for municipal action did not succeed until 1843, but in the meantime he had launched his propaganda for action by the State Legislature.

The first demand for the enactment of a State prohibition law was made upon the Legislature by the Maine Temperance Union in a memorial presented by General James Appleton, a friend of Dow's, in 1837. The Legislature did not act. Dow's friends declared that the day of his success was postponed by the Washington Movement, which practiced moral suasion, but objected to legislation. In 1843, the Maine leader printed and circulated petitions to the Legislature for a prohibition law, and appeared personally in the Hall of Representatives to argue for such an enactment. From that time on, he was a zealous propagandist, displaying indefatigable energy, a wide acquaintance with the people

of his State and their prejudices, and in many ways evidencing a consummate knowledge of politics as the game was played in his time. He traveled from end to end of the State time and time again, perfecting temperance organizations for the acknowledged purpose of exerting an influence upon the Legislature, making the prohibition question an issue in all elections of whatever importance. A petition signed by about 40,000 persons was presented by Dow to the Legislature in 1846, and, as a result of the pressure then brought to bear, a bill abolishing the license system but lacking the demanded forcefulness was passed. Small penalties were provided for violations, and the law was evaded by easy subterfuges. A bill somewhat strengthening this enactment was passed in 1849.

Dow was elected Mayor of Portland in 1851, thus attaining prestige second only to that of Governor of the State. In that year, with the new assurance which had resulted from his political triumph in Portland, he appeared in the Hall of the House of Representatives, and, after speaking for an hour and a half, as we are told, "in his usual style of acute reasoning, strong sense and impassioned eloquence," presented the stringent prohibition law which he had drawn. Despite the resentment of some conservative members of the Legislature at what they termed the high-handed manner in which Dow practically had ordered the enactment of his law, his influence was sufficient to secure the passage of his measure, the "Maine Law," within three days after it was taken up, a pace which was recognized at the time as being too rapid for judicious legislation.

The Mayor of Portland then set about enforcing the law in his own municipality. His methods were spectacular; he personally directed the first seizure of liquor after the law became operative, and took occasion to let it be known in every way possible that he was making the crusade against liquor his chief business. His manner of enforcing the law, his political successes, and the wide advertisement of what his friends termed his persecution by opponents of the prohibition cause, established for him a reputation in other States where the agitation had been taken up. He was frequently sought as a speaker throughout New England and the Eastern States. Expensive gifts of silverware were presented to him by citizens in Pennsylvania, New Jersey and New York. A contemporary declared that he "would rather

go down to posterity with Neal Dow's reputation than be any other man who lives or has lived in this country, the magnificent Father of this Country not excepted." A writer in publications issued by the Maine Statistical Society, an organization which promoted the acceptance of the Maine law in all States where prohibition was considered, said: "That he could command a strong vote in all the Northern States, were he nominated to the Vice-Presidency of the country, can scarcely be doubted." Thus Dow became the chief prohibition agitator in the country, and his handiwork, the Maine law, became the model of those States which decided to adopt prohibition. The agitation was taken up in practically every State in the Union. Note how the people responded to the promise that prohibition would cure the drink evil.

Vermont adopted a prohibition law in 1852, and it was ratified by the people. In the same year, Oregon adopted prohibition; the people of the territory of Minnesota approved a law which later was declared unconstitutional, as did the people of Massachusetts; a restrictive law was passed in Mississippi, and Texas adopted a law which prohibited the sale of more than one quart of liquor to any one person. In 1853 Rhode Island adopted a law which later was pronounced unconstitutional, and the people of Michigan confirmed a law which later was declared unconstitutional. In 1854 the Maryland House of Delegates adopted a prohibition law, but it was defeated in the Senate, while the Maine Liquor Law Party elected all of its candidates in the City of Baltimore; the Wisconsin Legislature passed a law which was vetoed by the Governor, and Connecticut and Delaware adopted prohibition.

Then came the triumphant year 1855. Iowa passed prohibition, and the law was confirmed by the people; Massachusetts altered her earlier enactment so as to meet the requirements of the State Constitution; Michigan did likewise; the Territory of Nebraska was given a prohibition law by its first Legislature which met in that year; New Hampshire entered the prohibition column; in New York Myron H. Clark, after a bitter campaign, was elected Governor over Horatio Seymour in a prohibition victory, and the Legislature passed a prohibition law July 4; Pennsylvania adopted a prohibition law, although it was not stringent in its provisions; Governor Reeder of Kansas recommended the en-



actment of prohibition to the Assembly of Kansas; the New Jersey House of Assembly adopted a prohibition law which was defeated in the Senate; Illinois passed a prohibition law for submission to the people, who rejected it; even Utah had municipal prohibition in its chief settlement, Salt Lake City.

The sojourn of most of these States in the prohibition column was brief. New Hampshire, it is true, did not repeal her law until 1903, nor Michigan until 1875, and Connecticut did not give up hope of making prohibition a success until 1872, but the other States, with the exception of Maine and Vermont, all resorted to other methods of restraining the use of liquor by 1870. Indeed, several of the States did not make even a serious attempt to enforce their laws. Nebraska and Illinois permitted the law to remain upon their statute books only one year. New York, Delaware and Indiana repealed within two years. The States which really tried to make their laws effective were Maine, Vermont, New Hampshire, Connecticut, Rhode Island and Michigan.

It appears that not much time was required to disillusion the temperance advocates of New England as to the effectiveness of prohibition as a means of reducing drinking. Senator Blair, who became one of the chief figures of the prohibition movement, and who introduced the first prohibition resolution in the Senate of the United States, made the failure of State prohibition a basis for his argument for the larger venture. He said in 1887:

For half a century, the working life of more than two generations, gigantic efforts have been put forth by noble men and women, by philanthropists, by statesmen and by States, to restrain and destroy the alcoholic evil, through the operations of moral suasion and by State law. . . . But it has failed, as it will always fail so long as we save at the spigot and waste at the bung. . . . It is a waste of time to deal with it (intemperance) only by towns and counties and States.

Dr. Dio Lewis, a prolific publicist of Boston, said in his book, *Prohibition a Failure*, published in 1873:

The meaning of the recent repudiation of the prohibitory liquor law in Massachusetts, and the same repudiation which is soon to follow in Maine, is not that the voters are less temperance men, or that they are anxious to continue crime and pauperism or pay the enormous taxes which confessedly spring from drink, but it simply

means, as in repudiating scores of other laws in New England directed against vices, that the people have come to the conclusion that law is not the medicine for this patient.

Dr. Lewis was a temperance worker who went so far as to advise members of churches to shun the Lord's Supper, where fermented wines were used, and he declared that he had lost \$20,000 personally through refusing to rent a hotel he owned in Boston except on condition that spirits should not be used in the cooking.

Ernest H. Cherrington, editor of the official publications of the Anti-Saloon League of America, that powerful instrumentality through which the political influence of the prohibition movement of to-day is exerted, concurs in the foregoing opinion. In the official history of the League, Mr. Cherrington says:

During the half century before 1893, eighteen States had adopted either statutory or Constitutional prohibition, with the result that eleven had repealed the law before prohibition had been given even a chance for a fair trial, while the prohibitory laws in the remaining States had been so poorly enforced that they had practically become dead letters, there being no effort whatever in certain States to give any attention to the enforcement of prohibition.

The opinions of these temperance workers as to the failure of the early prohibition movement are vindicated by the facts presented by Government reports regarding the consumption of liquors in the country at large in the period when the movement was spreading like wildfire. In the decade, 1850-1860, wherein the Maine law first was enacted, and thirteen States adopted prohibition either by referendum or legislative vote, the consumption of liquor increased from 94,712,853 gallons to 202,120,007 gallons. The consumption per capita increased in this period of rapid expansion of population from 4.08 gallons to 6.43 gallons; the consumption per capita of wine remained practically at a standstill; that of malt liquors increased from 1.58 gallons to 3.22 gallons; that of distilled spirits increased from 2.24 to 2.86.

In the next decade the consumption per capita increased to 7.70 gallons, and the total consumption to 296,876,931 gallons.

The modern era of prohibition, we are told by the Anti-Saloon League publications, began in 1893, the year in which

the League itself became active. For several years, however, its record is one of minor successes and defeats for the prohibitionists. South Dakota repealed her prohibition law in 1896, and in 1903 New Hampshire and Vermont retired from the prohibition column, leaving Maine, the only New England State which retained the law of the fifties upon her statute books. The first State-wide victories gained by the newly revived movement were in 1907, when Alabama and Oklahoma adopted prohibition. Two years later Alabama refused to incorporate prohibition in her Constitution. Oklahoma was more steadfast, however, for in 1909 her people did ratify a prohibition amendment. Nineteen hundred and eight saw State-wide victories in North Carolina, Georgia and Mississippi. The movement was retarded in 1910 by the rejection of Constitutional amendments in Florida and Oregon; Texas rejected an amendment in 1911, and Alabama repealed her law in that year, and another rejection was voted in Arkansas in 1912. Thus five discouraging defeats intervened between the Southern successes in 1908, and the next State victory, which was in West Virginia in 1912. The prohibitionists were successful in five of the elections in 1914: Arizona, Colorado, Oregon, Virginia and Washington voting favorably, while California and Ohio rejected amendments. In the present year, Alabama and Arkansas have adopted statutory prohibition, Iowa has enacted legislation, which it is claimed will have the effect of returning that State to the prohibition column, and South Carolina has voted for Constitutional prohibition. Prohibition laws are operative in nine States, and six others will be added to this list January 1, 1916. I do not include Tennessee, because liquor taxes amounting to more than \$500,000 were collected in that State in 1913, under what was described as a prohibition law.

Because of the comparatively short time in which the prohibition laws have been operative in most of the States now listed in the prohibition column, it may be difficult to form an accurate judgment as to the effects of the so-called reform. This difficulty is enhanced by the character of some of the literature being disseminated by the prohibitionists. The Anti-Saloon League Year Book, the official handbook of arguments for prohibition agitators, which is published at a considerable expense and has a wide circulation, presumably presents the case for prohibition as favorably as

the managers of the prohibition organization believe can be done. A review of this publication should afford a fair résumé of the evidence tending to show that prohibition has succeeded. No astuteness in analysis is required for the detection of certain methods resorted to by the editor of this publication for making the prohibition States appear advantageously in his statistical comparisons, which I do not believe are calculated to inspire confidence in any of his conclusions.

The campaign text-book presents in the prohibition tables Georgia, Mississippi and North Carolina, where prohibition was enacted only in 1908; West Virginia, where the law has been operative little more than a year; Tennessee, which should not be classed as a prohibition State; and Kansas, Maine and North Dakota, the only States which have had prohibition laws for any considerable number of years. Comparative statistics for 1909 or 1910 regarding this group and other groups which are presented as having, variously, 25 per cent of territory under license, 50 per cent under license, and more than 75 per cent under license, are given, and so little justification seems to exist for this grouping arrangement, as indicating the relative effects of prohibition and license or local option on the life of a State, that it might be suspected that the scheme was fixed upon as a means of distracting attention from the shortcomings of Maine, the black sheep of the prohibition family. The hand-book gives data bearing upon the "Average Number of Wage Earners in 1909," and increase in the ten years preceding, and the "Value of Products in 1909" and the corresponding increases. The figures thus presented, from which conclusions favorable to prohibition are drawn, are for the first year in which prohibition was operative in North Carolina, Mississippi and Alabama, the second year in Georgia, and for a period when West Virginia still remained in the license column. The presented increases, for the most part, were accomplished in a period when these States were under license or local option systems. The statistician solemnly computes that the percentage of increase in number of wage earners in the prohibition States exceeded that of the three other groups by ten, thirteen, and seventeen, respectively, while the increase in value of products exceeded that of the other three groups by 30.7 per cent, 34.1 per cent and 42.6 per cent. He does not comment upon the interest-

ing comparison between totals. May we observe that in the nine prohibition States, which had a population of 14,685,000 in 1910, the total number of wage earners was 554,280; while in the nine license States, out of a population of 22,293,000, the wage-earning population numbered 2,564,280, and that, while the total value of products in the former group was only \$1,416,192,000, that for the license States was \$8,080,980,000?

The Anti-Saloon League statisticians made an extensive study last year of the economic aspects of the liquor problem, apparently with the view of ameliorating somewhat the opposition of organized labor to the prohibition movement. The table I have just referred to is the first of a series in which comparisons are made on a number of points where the prohibition States can be made to appear to some slight advantage.

One of these tables shows that there was an increase of 103 per cent in volume of wages paid in prohibition States, as against 61 per cent in the license States. The increases, it may be noted, were from a total of \$109,000,000 to \$221,000,000 in the prohibition States, and from \$852,000,000 to \$1,373,889,000 in the license States. Other tables show that while 21 per cent of the wages and salaries paid by the industries in the prohibition States go to officials and 79 per cent to labor, in the license States, 36 per cent goes to officials and only 64 per cent to labor; that, while the raw material used by all the industries of the United States comprises 58.7 per cent of the manufactured value, only 23 per cent of the value of liquors is represented by raw materials. The Year Book then presents a set of tables which, it states, "disprove the claim that prohibition of the liquor traffic injures business or that it frightens capital away from the prohibition States." It is shown that in the prohibition group, the total capital invested in manufactures in 1899, \$463,573,000, increased to \$1,220,010,000 by 1909, an increase of 163.2 per cent; in the license States the total in 1899, \$3,955,842,000, increased to *only* \$7,439,685,000, in 1909, an increase of less than 87 per cent. The tables show, although attention is not directed to the fact by footnote, that, while the population of the nine license States exceeded that of the nine prohibition States by less than 50 per cent, the total capital invested in manufactures in the former States exceeded that in the prohibition States by approximately 600 per cent.

Statistics under the caption, "Crime and the Liquor Problem," continue the same groupings, but, even with the newly converted States lined up in the favored column, the showing made is not as satisfying as was the case in respect of the economic aspects of the liquor problem. For example, a table is given showing the number of prisoners for each 100,000 of population in the different groups of States for 1910. It is found that the total number of prisoners in the prohibition States was 18,228 out of a population of 14,685,000, and in the license States 29,041 out of a population of 22,000,000; and that for each 100,000 of population there were 124 prisoners in the prohibition States and 130 in the license States, the number in the two intermediate groups being somewhat smaller than in the prohibition States. Further on we are informed that the average number of paupers for each 100,000 of population was 46.5 for the prohibition States, and 127.7 for the license States, the latter number differing only by a fraction from the number for Maine. Still another table discloses that 75 per cent of the children of school age in the prohibition States were enrolled in schools, while in the license States only 68.8 per cent were enrolled; that 38.4 per cent of persons from 15 to 20 years old were attending school in the prohibition States, while only 26.6 per cent were enrolled in the license States.

These tables aroused my curiosity for several reasons. In the first place, the statistician omitted for some reason best known to himself the seasoned prohibition State of North Dakota. Examining table 25, page 1132 of the census bulletin on School Attendance, I found that of the 183,336 persons from six to twenty years of age in North Dakota, only 117,453 were enrolled in schools. The percentage, therefore, had it been calculated by the statistician, would have been presented in the scholastic table as 64.1, eleven points lower than the percentage for the prohibition group and nearly five points lower than that for the license group. Another matter which excites my curiosity in regard to this table of the Year Book is the source of the information upon which it is compiled and how the percentages favorable to prohibition are computed. For instance, with respect to Kansas, in the census bulletin on School Attendance I notice that in 1909 the total number of children from six to twenty years of age was 515,166, some 12,934 *in excess* of the number given in the Anti-Saloon League tables, while the total enroll-

ment was 378,000, some 20,000 *fewer* than the number listed by the Anti-Saloon League. It is evident that had the statistician employed the figures of the Government, his conclusions in regard to school attendance might be altered.

The closing tables set forth that there were 118.8 insane persons for each 100,000 of population in the prohibition group, while the number was 276.6 for the license group; and that for every 100 families there were 468 persons in the prohibition group, and only 454 persons in the license group.

A look beneath the surface of the Anti-Saloon League statistics indicated that they had little value as discovering to us the effects of prohibition upon the group of States in which the law now is operative, because of the comparatively short time that the States have been under its influence. It was apparent that, if West Virginia or North Carolina or any of the prohibition States seemed to outrank certain of the license States in respect of definite statistical comparisons, the advantage could not properly be attributed to the influence of prohibition only one or two years after the law became operative. How much more sensible and valuable it would be, from the standpoint of the principles of conservative judgment, to study the effect of prohibition in Maine, Kansas and North Dakota, the only States having prohibition in which the laws have been tested for twenty years or more.

Prohibition has been a farce in Maine for a number of years. It is the renegade of the prohibition family, and all statistical compilations by prohibitionists must cover up the shortcomings of Maine, in order to make a creditable showing for the entire group of prohibition States. Maine was the first State to enact prohibition, but it has appeared that she will be the last to enforce it. This State since 1851 has been engaged in what might be termed a continuous series of flirtations with prohibition. Since 1837, when a petition for prohibitory legislation was presented to the Maine legislature, there has been constant bickering between the prohibitionists and the anti-prohibitionists. In the elections, the liquor issue has obscured every other, and the result has been that the State has not been influenced materially in any way by the laws upon its statute books, save that it has lacked the annual revenues which the other States were collecting from the manufacture and sale of liquors, and that

the people have continued their consumption of ardent spirits instead of following the example of most of their countrymen who have turned annually to a larger consumption of beer or other lighter alcoholic drinks. President Wilson very probably had Maine in mind when he observed that whenever the social and moral issues involved in the liquor problem had been made the subject matter of party contest, "they have cut the lines of party organization and party action athwart, to the utter confusion of political action in every other field."

Soon after Neal Dow's law was put upon the statute books, there developed a well-supported opposition to the measure among the better portion of the population as well as the foreign quota. One of these opponents was Governor Wells, elected in 1856. The prohibition law of 1855, strengthening the original enactment, was repealed in his administration before it had been a year in operation. The repeal was followed by a period of indiscriminate sales and of offensive practices by the retailers, which gave abundant material for a new prohibition campaign. In 1858 another law went into effect, with the notable change that the prohibition did not extend to cider and the sale and manufacture of wine from fruit grown in the State. This alteration gave the prohibitionists the support of the farmers, a very necessary accession. The consumption of beer in Maine at that time was a comparatively small item, so there was no demand for the exemption of beer, as for that of hard cider, which we are informed is "notoriously capable of producing more intricate, prolonged and devastating drunks than even whiskey itself." By 1867 the unlicensed sale of liquors had become so extensive that a special State constabulary to enforce the prohibition law was created. This proved effective only in suppressing the more open forms of illegal selling. Governor Chamberlain in 1870, Governor Perham in 1872, and Governor Dingley in 1875 set forth in their annual messages that the prohibition law was virtually nullified by laxity of enforcement. It was shortly after the administrations of these governors that an amendment was voted into the State Constitution which not only exempted cider to appease the rural vote, but even exempted whiskey, gin, brandy, ale, porter, wine and cocktails as obtainable from the State liquor selling agency "for the use of invalids."

Enforcement of the law did not improve after the adop-



tion of the Constitutional amendment, however. Because the law lacked the support of public opinion, illegal sales and public drunkenness continued to increase. Governor Burleigh said in 1891, five years after prohibition was made an article of the State Constitution, "It cannot be denied that the law for the suppression of the liquor traffic is often violated, and that officials charged with its enforcement are frequently derelict in duty." This was putting it mildly. The law was openly flouted. Luxurious bars were operated in all the large cities, the only recognition of the prohibition law being a transparent attempt to keep these saloons out of sight from the open streets. The State authorities, charged with enforcing the law, systematically defied it, making periodical arrests which resulted in the imposition of fines about equivalent to license taxes.

Records of the number of commitments to jail for intoxication and illegal selling of liquor furnish impressive evidence as to the farcical character of prohibition in recent years. In 1898, 6,425 persons were committed to Maine jails, of whom 2,967 were committed for intoxication and 178 for illegal selling. The figures for subsequent years follow:

	Total commitments	For intoxication	For illegal selling
1899.....	6,182	2,901	200
1900.....	5,427	3,259	180
1901.....	5,270	2,851	298
1902.....	5,297	3,193	234
1903.....	4,608	2,364	346
1904.....	5,681	2,642	281
1905.....	5,412	3,035	571

The jail commitments for intoxication are merely a partial record of the amount of public drunkenness in these years, for in the small communities only the most obstreperous street drunkards who made nuisances of themselves were arrested, while thousands of intoxicated persons were assisted to their homes by acquaintances or even local authorities.

Governor Cobb in his annual message in 1905 recognized the farcical aspect of the law when he said:

Has the law been enforced? Every intelligent citizen knows that it has not. The estimation in which the prohibitory law is held in some sections of our States and by many of our citizens is working incalculable injury to the forces that make for law and order.

A disrespect for all law is nurtured, which if allowed to grow unchecked will weaken and destroy the very foundations of good government.

In that year the Legislature enacted the Sturgis law creating a State Enforcement Commission, which was permitted to send deputies to all parts of the State to search for and destroy liquors. These deputies seized thousands of gallons of liquors and rummaged hundreds of homes and other buildings, but the chief result of their efforts was to drive illegal sales into more unwholesome nooks and corners without any important diminution in the number of sales. Note how the dismal record of public drunkenness continues:

	Total commitments	For intoxication	For illegal selling
1906.....	4,483	1,980	429
1907.....	5,769	2,934	441
1908.....	6,646	3,609	707

One of the chief reasons for this steady increase under the Sturgis law was that, under the more open violations that had been tolerated previously, a greater proportion of ale, beer, and light wines had been sold. The bulk of these beverages prevented their being handled to advantage surreptitiously under the more stringent enforcement of the law, and it resulted that larger quantities of ardent spirits, oftentimes of poorer quality, were consumed. The quantity of liquors now vended by the Maine bootleggers were for the most part manufactured from the worst and most poisonous varieties of alcohol. Epitomizing the effect of prohibition on public intoxication, it may be observed that arrests for drunkenness in Maine averaged 25.5 per 1,000 population, as against 18.5 for all the other New England States.

Prohibition in Maine has not retarded the number of divorces granted for intoxication. According to census reports from 1867 to 1886, the total number of divorces was 8,412, while in the subsequent twenty years the total was increased to 14,194. Of this number, 3,624 are attributed to intemperance as a direct or indirect cause. Senator Charles F. Johnston declared in 1912 that "the majority do not now and never have wanted enforcement of the prohibition law." The Constitutional amendment was re-submitted to a popular vote in 1912. Regarding the outcome of this

election, Hon. C. W. Davis, Secretary of State of Maine, said:

In the September election, in one of the most strenuous campaigns the State has ever witnessed, a campaign in which the friends of the prohibition law mustered to their aid the most influential platform orators the nation could produce, a campaign in which the churches were organized, their pulpits turned into political forums, in which the children were organized and equipped with campaign songs, in which a publicity fund estimated at approximately \$200,000, with every one of the 520 towns supplied with oral and written arguments, and with but little work on the part of the opposition, the prohibitory law which went into the constitution in 1884 by a majority of 45,000 was retained by a paltry 758 votes. Even this slender margin was in doubt for many days, as the first returns, known as the Secretary of State's returns, gave the result as 60,487 for repeal and 60,461 for retaining the law; a majority of 26 for repeal. The final returns of municipal officers made to the Governor and Council, after the corrections and changes, placed the official vote as follows: 60,095 for repeal and 60,853 for retention of the law.

The result of this election, if it proves anything, proves that the electorate of Maine were honestly wide apart in their views as to the value of the law. Eight of the sixteen counties in the State voted against the law, and the cities by a majority of 10,000 voted against it. With the population in character and growth but slightly changed, 60,095 voted against the law as compared with the 23,413 who voted against it in 1884.

Prohibition must be regarded as a failure in Maine up to the present time. The State authorities now in power declare they are enforcing the law, and this may be true. It does not affect the validity of the statement that Maine in the decades since Neal Dow secured the enactment of the Maine law has been the pre-eminent example of the truth of President Wilson's observation that "Government is merely an attempt to express the average conscience of everybody," and that, if the Government is going faster than the public conscience, it soon will have to "pull up." The Government did "pull up" in Maine, but until to-day the people of the State have insisted upon retaining a law which does not represent their "average conscience."

Here is an excerpt from the speech delivered by Representative Underwood of Alabama, majority leader of the last House of Representatives, during the debate on the Hobson resolution, December, 1914:

It is contended that prohibition produces temperance where it is on the statute books, but I find on an examination of the bulletins issued by the Bureau of the Census that the improved conditions which we may naturally expect to find in the lives of men who practice real temperance are not found to predominate in the States where prohibition laws have been on the statute books for many years, as compared to those where liquor is sold under a license system or where temperance laws are controlled by the sentiment of the local communities.

Mr. Underwood's speech probably was the most statesmanlike utterance of the prohibition debate. He singled out Kansas, where prohibition has been operative practically since the admission of that State to the Union, and, throughout a comprehensive examination of the census statistics, compared it with license and local option States. Let us summarize the facts he adduced.

Twenty-seven States in which liquor is sold lawfully have a divorce rate lower than that of Kansas, while only thirteen license States have a higher divorce rate than Kansas. More divorces were granted in Kansas on account of drunkenness of the husband in the period between 1887 and 1906 than in any one of twenty-five States in which liquor was sold under license. The average death rate by violence, exclusive of suicide, was lower for cities investigated in twenty-nine license States, according to 1911 data, than in Kansas cities, and in only three license States was it higher. The average death rate from suicide was higher in Kansas than in twenty of the States investigated and lower than eleven. The annual report of the Comptroller of the Currency showed that the annual savings of individual depositors in Kansas was lower than in twenty-seven license States and higher than in nine license States; only four prohibition States could claim a higher average than Kansas. Thirty-eight States in which liquor was sold lawfully had a higher percentage of church members than Kansas.

The Merchants and Manufacturers Association of Omaha employed a statistician in 1909 to make a comparative study of the material development of Kansas and the adjoining State, Nebraska, in the period 1880-1909, in which Kansas had prohibition and Nebraska a license system. This investigation is frankly designed to show that prohibition has been a "blight" upon Kansas, "which has all but stopped immigration into the State; has caused a de-

crease of population; has caused a decline in land values as compared with those of other States; has checked the accumulation of wealth; has been highly injurious to retail business; has crippled the productive resources of the State," but some of its data of unimpeachable authority are very interesting.

The pamphlet issued by the Merchants and Manufacturers Association shows that whereas the corn crop of Kansas more than doubled that of Nebraska in 1880, the crop of Nebraska exceeded that of Kansas in value by more than \$19,000,000 in 1908. From 1880 to 1900 the value of farm property in Kansas increased 175 per cent, while that of Nebraska increased 385 per cent. Despite a considerable advantage in extent of population, Kansas had in 1907 only \$110,476,000 in national bank assets, while the Nebraska banks' assets totaled \$132,909,000. In 1880 the per capita indebtedness of Kansas was \$15.97 and that of Nebraska \$15.66. Ten years later the per capita indebtedness of Kansas was \$28.49 and that of Nebraska was \$14.62, while that of the United States was \$18.16.

As shedding light upon the view that under prohibition "the money theretofore spent in drink goes into legitimate industry and is used to build up material wealth," these facts are put forward: Kansas added 1,686 factories to her industries in the decade 1880-1890, with an increase in products of \$79,376,000; while Nebraska added 1,611 factories, with an increase in value of products of \$81,400,000. The increase in Kansas was 250 per cent and that in Nebraska 637 per cent.

I quote the following from a letter I received September 17 from A. J. Fowler, Deputy Comptroller of the Currency:

The latest compiled returns from all banks in the country are for June 30, 1914, and are from 26,723 banks, with aggregate deposits of \$18,519,022,130. The population of the continental United States on that date was 99,111,000, making the average per capita deposit \$186.85. The population, total, and average deposits in the States of Kansas and North Dakota are as follows:

	Population	Total Deposits	Average Deposit
Kansas.....	1,827,000	\$166,290,198	\$91.02
North Dakota..	705,000	82,502,599	117.02

I believe that prohibition has been enforced more effectively in North Dakota than in any other State. North Dakota is comparatively small, having only 705,000 popu-

lation and no large cities. The sentiment of the people there is more nearly abreast of the prohibition statute than in any other State, and it results that North Dakota stands in a very favorable light alongside the other prohibition States in respect of the statistics showing the harmful effects of drinking.

The census bulletin on insanity shows that only 628 insane were enumerated in hospitals in 1910 in North Dakota, while for the other prohibition States the numbers were: Kansas, 2,912; Maine, 1,258; Mississippi, 1,978; Alabama, 2,039; North Carolina, 2,522; Georgia, 3,132. Of the total number of insane in these States, only three were victims of alcoholic psychosis when admitted to hospitals, while in the other prohibition States the number was as follows: Georgia, 57; Kansas, 70; Maine, 33; Alabama, 86; Mississippi, 16; North Carolina, 35. The most recent mortality statistics compiled by the Government do not comprise those for North Dakota, because that State is not listed in the registration area regularly investigated by the Bureau of the Census.

The census report on religious bodies, issued in 1910, shows that in 1906 there were 1,993 religious organizations in North Dakota, having a total number of members or communicants amounting to 159,053, out of a population of 570,000.

From the census bulletin on pauperism, we learn that January 1, 1910, North Dakota had only 81 paupers enumerated in almshouses, while Kansas had 735 and Maine 945, and the number for the country as a whole was 84,198.

From the census report on prisoners and juvenile delinquents, we learn that of 367 prisoners enumerated in North Dakota in 1910 only 10 were committed for drunkenness and disorderly conduct, while 80 were committed for violating the liquor law. In Kansas 28 were committed to prison for drunkenness and disorderly conduct and 72 for violating the liquor law.

The number of persons imprisoned for drunkenness in North Dakota compares very favorably with 2,732 in Massachusetts, 2,121 in New York, 1,059 in Pennsylvania, 1,098 in Illinois, 233 in Virginia, 237 in Kentucky. Less than 3 per cent. of the prisoners in North Dakota were committed for drunkenness and disorderly conduct, while the number in Maine was as high as 30 per cent. The recent compre-

hensive investigation of the Government into the causes of divorce showed that of the 2,545 divorces granted to women in North Dakota in the period from 1887 to 1906, 987, or 38 per cent., were attributed to drunkenness or to intemperance, as a direct or indirect cause, while the percentage for the country as a whole was only 26 per cent. The number of divorces in North Dakota was comparatively small, however, alongside of the 20,360 granted in Kansas, 10,390 in Maine, 5,642 in Georgia, 9,714 in Alabama, 20,217 in Tennessee.

The rural population of North Dakota comprised nearly 90 per cent. of the total population of the State in 1910, and this fact, of course, has tended to facilitate the enforcement of the prohibition law. Practically no opportunity has been given in North Dakota for us to study the problem of the enforcement of prohibition laws in the big cities.

Having concluded our discussion of the obtainable evidence as to the achievements of prohibition in regard to the social and economic welfare of the States in which it has been adopted, let us make an inquiry as to the actual effects upon the quantity of liquor consumed since 1893, when, we are told, the modern era of prohibition began. A compilation by the Department of Commerce of the consumption of domestic and imported liquors since 1850 affords adequate data as to the drinking which has been done by the country as a whole.

In 1893 the consumption of wines and liquors in the United States was 1,207,365,215 gallons, a per capita consumption of 18.20 gallons. The per capita consumption of malt liquors, which had been only 1.58 in 1850, had increased to 16.19 gallons in 1893. The consumption of wines had increased only .21 gallon and the consumption of so-called ardent spirits had decreased from 2.24 in 1850 to 1.52. The records since that time show only a slight variation in the per capita consumption of distilled spirits. At times the quantity has fallen as low as 1.01, in 1896, and it has gone as high as 1.58, in 1907. But in 1913 it was 1.50, only .02 gallon less than that at the outset of what was heralded as the second era of prohibition. The consumption of wines showed an inconspicuous steady increase in this period, with a few exceptional low and high years, while the consumption of malt liquors ascended unimpeded to a point un-

dreamed of in the fifties. The per capita consumption of malt liquors was 1.58 in 1850, at the outset of the first prohibition era; in 1893, when the second prohibition era began, the quantity had reached 16.19. There was a slight decrease for three or four years, and it was not indeed until 1902 that the per capita consumption exceeded that of 1893. From 1902 on, however, until 1909 there was a steady increase, the quantity in 1908 being 20.26. The following year there was a decrease of one gallon per capita, but this was nullified by the subsequent increases, and in 1914 the quantity was 20.51 gallons.

A preliminary summary of the annual report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1915, disclosed an almost startling decrease in the consumption of liquors. There was a decrease of 14,983,333 gallons of ardent spirits and 6,358,744 barrels of fermented liquors. The Anti-Saloon League official publications immediately laid claim to the credit for this decrease on behalf of the prohibition movement. These publications computed that the per capita consumption in the fiscal year 1915 was 20.53 gallons, which was the lowest since 1905. Without undue disparagement of the claims of the prohibitionists, however, I may state the opinion that a considerable proportion of the decrease should be attributed to the wave of economy that spread over the country a year ago. Supporting this view, it may be mentioned that the country, according to the same internal revenue report, consumed nearly 680,000,000 fewer cigars than in the previous year.

The prohibitionists explain that while the per capita consumption has gone on increasing, the "rate of increase" has diminished. The reasoning behind this explanation, which is almost abstruse enough to be applied to a problem in the Fourth Dimension, is stated thus:

In 1870 the per capita consumption of all intoxicating liquors in the United States was 7.7 gallons; in 1890 the per capita consumption was 15.53 gallons, showing an increase during the twenty years of a little more than 100 per cent. For the twenty years following 1890, or from 1890 to 1910, the per capita consumption increased from 15.53 to 21.86, or not quite 41 per cent.

The apologist goes on:

The proportionate population living under the direct influence of the liquor traffic in 1890 was decreased 33 1-3 per cent during the



twenty years following 1890, while the consumption of intoxicating liquors for 1910 was 30 per cent less than it would have been in 1910 had the same rate of increase continued for the twenty years following 1890 as for the twenty years preceding 1890.

An explanation of the consumption data should take into account also the fact that, distinct from the prohibition movement, there has been developing steadily in the United States in the last two decades a strong temperance movement. Thousands of men are leaving off drinking as a means of increasing their efficiency, who are indicating little interest in the idea of forcing abstinence upon their fellows.

Not many of the speakers who base their utterances upon the Year Book attempt to cope with the intricacies of this highly illuminating mathematical exploit. On the other hand, anyone who has watched the operation of the prohibition law in any one of the prohibition States knows it to be a fact that large quantities of liquors, ardent liquors for the most part, are shipped into the so-called "dry" territory from adjoining license States. This fact is not open to question, despite the failure of the Federal Departments to furnish any statistical data as to the quantities which actually do pass into prohibition territory. In every State which adopts prohibition there is a large minority of the population which is opposed to it, and this minority immediately resort to the mail order houses to obtain its supply. South Carolina in September forced prohibition upon Charlestown and Columbia, her two chief cities. Of course this means that in a very short time the liquor dealers of Florida and Ohio will be getting a large share of the business that formerly went to the dispensaries in those cities.

The Federal Government never has investigated the commerce between States, but some tangible evidence regarding the persistence of drinking is furnished by a table I have compiled from the records of the Bureau of Internal Revenue as to the number of special taxpayers listed as "Retail liquor dealers" and "Wholesale liquor dealers." The number includes all druggists licensed to sell liquors, and a distinction is made between dealers in malt liquors alone and dealers in both malt and ardent liquors. The result of the compilation was surprising to me. The number since 1908, when North Carolina, Georgia, Alabama and Mississippi adopted prohibition, is a large one. In 1914, after five years of prohibition, 1,711 retailers and 86 wholesalers of

liquors paid the Federal tax in Georgia. More than 1,000 tax receipts were issued in Maine, and the number in Oklahoma and Alabama was almost as large. In all of the prohibition States the number was sufficiently large to amaze even men who cherished few illusions about the effectiveness of prohibition laws. The compilation I have made is an impressive criterion of the laxity of the State authorities of the prohibition States regarding the enforcement of the prohibition law. While the identity of the persons holding liquor tax receipts in prohibition States is not regularly made public by the Bureau of Internal Revenue, this information (in "Record 10" of each collector of internal revenue) is available to the State authorities upon application, and the fact that so many liquor selling agencies have been permitted to continue their operations in prohibition States is attributable simply to the failure of the State authorities to avail themselves of an accessible source of information as to the violations of the State laws. North Dakota, North Carolina and Oklahoma make the payment of the Federal tax *prima facie* evidence of violation of the State law. The opposite table presents the result of my research among the Internal Revenue Bureau's records. I have omitted Tennessee from the table, not because of any paucity of licenses issued by the Federal Government, but because the State Government itself levied liquor imposts, deriving more than half a million dollars in revenue from this source in 1913, and evidence of the fact of consumption in that State seemed unnecessary.

Another compilation from the Bureau of Internal Revenue's records of illicit distilleries discovered in prohibition States sheds further light upon the question as to whether prohibition has succeeded in materially restraining the consumption of liquor. Commissioners of Internal Revenue almost annually in the past seven years have commented in their reports upon the extent of the increase in illicit distilling in prohibition States which resulted from prohibition. The present Commissioner, Mr. Osborn of North Carolina, said in his most recent report: "Bootlegging is principally carried on in the States operating under prohibition laws and appears to be one of the hardest problems the revenue officers are called upon to face." The table opposite speaks for itself.

Does not this table indicate a parallel between the "mod-

# PROHIBITION

727

## LIQUOR TAX RECEIPTS ISSUED IN PROHIBITION STATES TO RETAIL AND WHOLESALE DEALERS IN "MODERN ERA OF PROHIBITION"

		1906	1907	1908	1909	1910	1911	1912- 1913	1914
Alabama.....	{ R	2,144	2,140	1,753	1,734	1,092	1,317	766	747
	{ W	160	168	160	118	55	74	168	130
Georgia.....	{ R	1,818	1,634	2,998	2,612	1,837	2,009	1,610	1,711
	{ W	131	162	209	123	83	112	104	86
Kansas.....	{ R	4,019	3,220	3,217	2,392	1,106	819	766	515
	{ W	147	129	114	82	38	27	28	13
Maine.....	{ R	599	826	824	1,163	1,032	1,233	1,381	1,045
	{ W	26	37	42	51	48	71	70	53
Mississippi....	{ R	607	580	496	647	871	694	415	406
	{ W	49	62	62	29	20	26	19	18
North Carolina	{ R	1,001	1,144	1,114	1,548	1,202	1,337	728	266
	{ W	64	77	71	62	38	35	5	2
North Dakota.	{ R	1,582	1,905	1,567	1,830	1,470	1,014	761	487
	{ W	74	71	39	65	40	15	10	10
Oklahoma.....	{ R	1,278	1,150	1,999	1,688	1,764	1,781	1,050	845
	{ W	160	126	132	60	78	83	55	41

## ILLICIT DISTILLING—PROHIBITION STATES

	1906	1907	1908	1909	1910	1911	1912*	1913	1914
Alabama.....	179	103	153	231	266	375	321	320	308
Georgia.....	373	274	294	623	708	901	714	813	802
Mississippi....	2	..	..	1	3	..	5	4	2
North Carolina	460	408	363	374	378	440	486	446	535
Oklahoma.....	..	..	..	..	..	..	5	1	..
Tennessee.....	54	46	57	71	49	114	161	194	249

\* Figures for 1912 and thereafter are for "illicit distilleries reported for seizure" instead of for those actually destroyed.

ern " and the earlier era of prohibition which, Dr. Eliot observed, " had some unlooked for effects upon public respect for courts, judicial procedure, oaths and law, legislatures and public servants " ?

Adequate data are not available upon which an opinion may be formed as to the relative merits of local option and State-wide prohibition. There are many reasons for believing that prohibition in the smaller voting unit, which does not undertake to force the will of the rural majority upon the population of the large cities, has been incomparably more efficient than that which places a whole State under prohibition law by a single election. The local option experience of Illinois furnishes subject-matter for a favorable advertisement of this method of attaining prohibition. One by one, townships, villages and cities have followed each other into the dry classification until nearly half of the population now lives in dry territory. Fifty-one counties are in the no-license column. No county which has voted dry since 1907, when the State local option law was passed, has returned to the license system. Prohibition laws in Illinois apparently have kept pace with prohibition sentiment in that State, and the results speak well for the reasonable conservatism of the people there. Much the same conditions prevail in the local option States of New England. It is very probably true that, to the fact that in Arkansas, Colorado, Florida, Idaho, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Nebraska, New Hampshire, South Carolina, South Dakota, Texas, Vermont, Virginia, and Alabama more than 50 per cent. of the population lived under a no-license system, as a result of local option elections, prior to January 1, 1914, should be attributed a larger measure of the recent falling off of liquor consumption than is due to the prohibition laws of Kansas, North Dakota, Maine, North Carolina, Georgia, Mississippi, and West Virginia. State-wide prohibition laws, it has been found, have not been effective in the large centers of population which opposed it when the prohibition elections were held. Apparently the only difference between conditions in the prohibition and the local option States is that a pretense is made of enforcing the law where it is opposed in the prohibition States, while no such pretense is made in the local option States.

Certain definite conclusions are justifiable from the data

which have been presented in the preceding sections of this article as bearing upon the question whether prohibition has demonstrated its efficiency in either of the two periods of our national history in which a considerable number of the States have turned to it as a panacea for the evils of drunkenness. We have noted the conclusions of the temperance workers themselves that the first essay, that which began with the enactment of the Maine law, was a failure. We have reviewed the presentation of the case for prohibition in the later era, marked by the accession of the South to the prohibition column, and have noted certain evidences of a lack of scientific care in the preparation of the official arguments which seem to cast doubt upon their value. We have noted further in this connection several facts which stand out from the very tables presented by the Anti-Saloon League, which indicate that the so-called "wet" States are not without some material advantages over the "dry" States. An examination has been made of the available data as to the effect of prohibition upon the States of Maine, Kansas, and North Dakota, the only States now having prohibition which have tested the usefulness and workability of the law for a period of twenty years or more. This examination resulted in the conviction that, because of the laxity of the law officers in Maine, no improvements were noticeable which we might attribute directly to the enactment of the prohibition law, and that, with respect to Kansas and North Dakota, there appeared no adequate grounds for stating that prohibition had produced the new virility and the material prosperity which its proponents claimed for it. Finally, we have presented statistics from the various Government departments which seem to indicate that while there was some reduction in the consumption of liquor in the prohibition States attributable to prohibition, yet the traffic in liquors has continued in surprisingly large quantities because of the laxity of State authorities and the increase in illicit distilling.

One general conclusion seems unavoidable in the light of the evidence thus adduced. It is that State prohibition never has prohibited, nor has it restrained the use of liquor to a degree that a sound basis of evolution may be said to have been made for the operation of national prohibition.

L. AMES BROWN.